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Report of the Secretary-General on the United Nations operation in Cyprus

I. Introduction

1. The present report on the United Nations operation in Cyprus covers developments from 11 May to 20 November 2009 and brings up to date the record of activities carried out by the United Nations Peacekeeping Force in Cyprus (UNFICYP) pursuant to Security Council resolution 186 (1964) and subsequent Council resolutions, most recently resolution 1873 (2009). The activities of my mission of good offices in Cyprus are covered separately in my report S/2009/610 dated 30 November 2009.

2. As at 31 October, the strength of the military component of UNFICYP stood at 858, including all ranks, and the strength of the police component stood at 69 (see annex).

II. Activities of the Force

A. Prevention of a recurrence of fighting and the maintenance of the military status quo

3. The main focus of UNFICYP activities has been to maintain the stability of the buffer zone and to contribute to the overall mission effort in support of the peace process. The opposing forces have cooperated very well with UNFICYP military forces and the situation in the buffer zone has remained stable. The UNFICYP military chain of command maintained good relationships with their counterparts from both of the opposing forces. An additional mechanism, whereby a summary of their own violations is provided by UNFICYP directly to their respective headquarters on a monthly basis, has facilitated remedial action.

4. Military violations by the opposing forces during the current reporting period were at comparable levels. This was attributable to a reduction in violations by the Turkish Forces following the positive approach taken by them in recent months. Despite a significant relaxation of restrictions placed on the movement of UNFICYP military personnel, the continued restriction on the movement of locally employed United Nations civilian personnel imposed by the Turkish Forces/Turkish Cypriot Security Forces remains a concern. The number of violations by the National Guard

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would have been reduced markedly if not for incidents of bayonet fixing by soldiers in observation posts along the buffer zone. In June 2009, the National Guard was responsible for an overmanning violation that subsequently developed into a serious incident in which two UNFICYP mobile patrols were threatened with weapons and detained. This incident was subsequently remedied by the prompt intervention of the respective Military Observation and Liaison Officers, resulting in the immediate release of the UNFICYP personnel.

5. The opposing forces continue sporadically to employ low-level tactical measures which provoke reactions from the other side, mostly in the centre of Nicosia. UNFICYP remains optimistic that the military confidence-building measures it has proposed, such as the unmanning and/or closing of observation posts in areas where opposing troops are particularly close to one another and agreements for future demining activities, would help improve the situation. To date, the National Guard has agreed to these measures but, as mentioned in my previous report (S/2009/248), UNFICYP is still waiting for concrete steps to be taken by the Turkish Forces/Turkish Cypriot Security Forces, despite the letter sent to me by the leader of the Turkish Cypriot community, Mehmet Ali Talat, on 28 February 2008 indicating that military members of a confidence-building committee would be appointed. UNFICYP remains committed to reducing tension and military presence in the buffer zone through the implementation of confidence-building measures, with support from both sides.

6. In addition to its buffer zone stability tasks, the military component of UNFICYP has continued to support the peace process in other ways. This included the mobilization of the UNFICYP Mobile Force Reserve and the Force Military Police Unit in support of about 50 meetings held so far between the two leaders at the premises of the good offices mission in the United Nations Protected Area.

7. Both the National Guard and the Turkish Forces announced the cancellation of their major annual exercises, "Nikiforos" and "Toros", respectively. This was a welcome and important confidence-building measure, in line with the expectations of the current political process. This is the second year in succession that the exercises have been cancelled and it is hoped that such measures will help advance the political process. The opposing forces have continued to conduct low-level and familiarization training throughout the reporting period.

8. Positions established by the opposing forces in the Dherinia area in violation of the status quo, referred to in my previous reports (most recently S/2009/248 and S/2008/744), remain in place. The Turkish Forces retain the checkpoint in the Laroujina pocket. They have conducted regular inspections of the liaison post at Strovilia and have repeatedly overmanned the position in violation of the military status quo in the area. The Turkish Forces continue to impose tight controls on United Nations operations in the fenced area of Varosha. The United Nations holds the Government of Turkey responsible for the status quo in Varosha.

B. Mine action

9. Demining in the buffer zone is progressing well, with 57 of the 72 minefields cleared. A total of 14,000 mines have been destroyed and more than 7 square kilometres of land cleared of mines. A list of the remaining 15 minefields has been

submitted to the National Guard and Turkish Forces with a request for their release for clearance.

10. The Mine Action Centre Cyprus is looking into expanding its capacity by introducing a mechanical clearance team. The mechanical team would focus on the clearance of low-threat areas, allowing the manual teams to concentrate on high-threat areas. It is hoped that this would significantly increase the overall clearance rate and allow the complete demining of the buffer zone within 18 months.

11. On 28 October, a civilian contractor of the Mine Action Centre was killed in a demining accident, the demining group's first fatality in five years of operation on the island. The tragic accident happened in the buffer zone, some 10 kilometres south-east of Nicosia.

C. Restoration of normal conditions and humanitarian functions

12. Cypriots from both sides continued to seek assistance from UNFICYP in addressing day-to-day issues arising from the division of the island that affect their lives, including in relation to educational matters, the transfer of deceased individuals, and commemorative, religious and sociocultural gatherings. The mission continued to facilitate the normalization of conditions in the buffer zone and humanitarian assistance to the communities, as required.

13. During the reporting period, UNFICYP recorded approximately 928,200 crossings through the buffer zone, of which 205,100 occurred at the Ledra Street crossing point. Goods worth approximately €237,000 crossed from the south to the north, and goods worth approximately €2,982,000 crossed in the opposite direction. Both sides have agreed to proceed with the implementation of the joint project prepared by the two Nicosia municipalities under the Nicosia Master Plan for the restoration of buildings at Ledra Street. Work in that area is expected to commence soon.

14. On 26 June, an agreement was reached by the Greek Cypriot and Turkish Cypriot leaders on the opening of a buffer zone crossing at Limnitis/Yeşilirmak on the basis of modalities already in use at existing crossings. A first trial crossing by ambulances from both sides was facilitated by UNFICYP on 6 August. Technical surveys to determine the amount of work and funds that will be required to upgrade the road are currently under way. Meanwhile, the UNFICYP military engineering unit has enhanced the patrol track in this area of the buffer zone to a standard suitable for emergency use by civilian traffic in advance of the construction of a new road.

15. UNFICYP, in cooperation with international and local partners, facilitated 89 bicommunal events in which 4,472 people from both communities participated, coming together to promote the reunification of the island and support the ongoing negotiations between the leaders of the two communities. These events were held at the Ledra Palace Hotel and nearby locations in the buffer zone, which continue to be considered a neutral venue by both sides.

16. Regular meetings, which have been held for 20 years between Greek Cypriot and Turkish Cypriot political party leaders and representatives, continued to be held at the Ledra Palace Hotel under the auspices of the Embassy of Slovakia. On 25 October, the political parties in Cyprus participating in this forum for bicommunal dialogue

hosted a bicommunal concert in the mixed village of Pyla, in the buffer zone, which was attended by Mrs. Christofias and Mrs. Talat.

17. UNFICYP continued to deliver humanitarian assistance to Greek Cypriots and Maronites living in the northern part of the island. During the reporting period, UNFICYP conducted 63 humanitarian convoys and visits to 364 Greek Cypriots and 131 Maronites in the north. The requests made by 11 Greek Cypriot and 44 Maronite internally displaced families who wish to return to, and permanently reside in, the north are still pending owing to differences between the two sides over the eligibility criteria for permanent return. UNFICYP continued to facilitate the delivery of textbooks and the appointment of teachers to the elementary and secondary Greek Cypriot schools in Rizokarpaso, on the Karpas Peninsula in the north. At the time of reporting, 3 out of 12 teachers and other academic staff appointed by the Greek Cypriot side for the current academic year had been allowed to teach at the schools, while 8 had been denied permission and a decision in one case was still pending. In accordance with the usual practice, UNFICYP provided 205 textbooks for review to the authorities in the north, which did not allow the delivery of five of the books because of what they perceived as objectionable content.

18. UNFICYP also continued to assist Turkish Cypriots living in the south with obtaining identity documents, housing, welfare services, medical care, employment and education. In Limassol and Paphos, it continued to work with the local authorities and community representatives to strengthen its support in educational and social areas. There have been no new developments regarding the establishment of a Turkish-language primary school in Limassol.

19. Members of both communities continue to seek to use the buffer zone for various civilian activities, including farming, the maintenance of public and private infrastructure, construction and commercial ventures. Facilitation of those activities while ensuring stability and maintaining the status quo in the buffer zone remains one of the main challenges facing UNFICYP. Lack of adherence to UNFICYP procedures regarding civilian activities in the buffer zone and differences in the mapping of the buffer zone continued to pose problems in the implementation of the mandate of the mission. During the reporting period, UNFICYP held several meetings with representatives of both sides with the aim of resolving contentious issues in the buffer zone, and ultimately authorized 28 projects in the buffer zone out of 31 applications. These projects included construction of a residential and agricultural nature, as well as water extraction activities.

20. UNFICYP continued its efforts to assist in maintaining good relations and building confidence between the Greek Cypriot and Turkish Cypriot communities in the mixed village of Pyla in the buffer zone. To that end, UNFICYP continued to play a mediation role and to monitor long-standing arrangements established between the two communities. In May, the last in a series of bicommunal events involving children from the Greek Cypriot and Turkish Cypriot schools in Pyla were organized in cooperation with an international non-governmental organization. The planning process for a new programme of bicommunal activities for children, which was meant to coincide with the beginning of the new school year, was suspended in the absence of agreement between the sides. UNFICYP sought to facilitate dialogue between the two communities on this issue. The delicate bicommunal balance in Pyla requires regular direct communication at the local level in order to enable successful management of day-to-day affairs.

21. The Technical Committee on Cultural Heritage and its advisory board continued to discuss and plan for the preservation, protection and restoration of immovable cultural heritage on the island. The members of the committee participated in a clean-up operation for a mosque and a church, as a symbolic gesture of goodwill and cooperation. Both sides sought UNFICYP facilitation to access sites of religious and cultural significance. During the reporting period, UNFICYP facilitated 17 religious and commemorative events on the island, of which 12 involved crossing the buffer zone to the north, 2 involved crossing the buffer zone to the south and 3 were held in the buffer zone. A total of 4,747 individuals participated in these events.

22. On 8 August, 1,451 Turkish Cypriots travelled through the buffer zone in the area of Limnitis/Yeşilırmak in order to participate in an annual commemorative event in Kokkina/Erenkoy. On 2 September, 645 Greek Cypriot pilgrims were unable to cross through this area and attend a religious service at Saint Mamas church following a disagreement between the sides regarding crossing modalities.

23. Relations between UNFICYP and the police forces on both sides remained cooperative and constructive. UNFICYP continued to liaise with the two sides on law enforcement and issues related to crossings on humanitarian grounds. A mechanism was put in place following agreements reached by the two sides within the Technical Committee on Health, set up as part of the current peace process, which has facilitated medical evacuations across the buffer zone on humanitarian grounds. During the reporting period, UNFICYP facilitated four medical evacuations and the transfer of the remains of two Greek Cypriot individuals. UNFICYP also conducted 13 prison visits to 13 Turkish Cypriot inmates in the south and 4 visits to the one Greek Cypriot detained in the north. During the same period, 11 thefts, four cases of criminal damage, one case of harassment and one of domestic violence in the buffer zone were reported to the United Nations police for investigation.

24. The Technical Committee on Crime and Criminal Matters, which is facilitated by the United Nations police, met on 13 occasions during the reporting period. The cooperation between the two sides has been very encouraging. One of the agreements reached by the Committee was to open a joint communications room, staffed by representatives of the two sides. The joint communications room facilitates the exchange of information between the two sides on matters relating to crime and intelligence. This is the first formal arrangement of this type between the two sides.

III. Committee on Missing Persons in Cyprus

25. During the reporting period, the Committee on Missing Persons pursued its bicommunal project on the exhumation, identification and return of the remains of missing persons. By November 2009, the remains of 570 individuals had been exhumed on both sides of the buffer zone by the Committee's bicommunal teams of archaeologists. The remains of over 350 missing persons had undergone examination at the Committee's bicommunal anthropological laboratory in the United Nations Protected Area in Nicosia. After DNA genetic analysis had been carried out in 1,232 cases by a bicommunal team of scientists at the Cyprus Institute of Neurology and Genetics, the remains of 186 individuals were returned to their respective families.

IV. Financial and administrative aspects

26. The General Assembly, in its resolution 63/290 of 30 June 2009, appropriated the amount of $54.4 million for the maintenance of UNFICYP for the period from 1 July 2009 to 30 June 2010, inclusive of a voluntary contribution of one third of the net cost of the Force, equivalent to $17.3 million, from the Government of Cyprus and a voluntary contribution of $6.5 million from the Government of Greece. I invite other countries and organizations to do likewise, with a view to reducing the portion of the cost of UNFICYP covered by assessed contributions.

27. Should the Security Council decide to extend the mandate of UNFICYP for a further period of six months, the cost of maintaining the Force would be limited to the amount approved by the General Assembly.

28. As at 31 August 2009, the total outstanding assessed contributions to the special account for UNFICYP for the period from 16 June 1993 to 31 August 2009 amounted to $24.7 million. The total outstanding assessed contributions for all peacekeeping operations as at the same date amounted to $2,150 million.

29. Reimbursement of troop and contingent-owned equipment costs has been made for the periods up to 30 September 2008 and 30 June 2009, respectively, in accordance with the quarterly payment schedule.

V. Observations

30. During the reporting period, the situation in the buffer zone remained calm. The number of military violations has been comparable to that in the previous reporting period, while the opposing forces have demonstrated restraint and overall good cooperation with UNFICYP. Notwithstanding this, the consistent efforts of UNFICYP to advance discussions on military confidence-building measures have so far failed to produce positive results.

31. I note with satisfaction that the Turkish Forces/Turkish Cypriot Security Forces have lifted almost all restrictions on the movement of UNFICYP personnel. At the same time, I call for the urgent removal of the remaining restrictions on the movement of locally employed United Nations civilian personnel. Freedom of movement for all United Nations personnel is a matter for principle to the Organization and an operational requirement for UNFICYP.

32. Both communities continued to rely on UNFICYP civilian assistance in areas ranging from humanitarian and economic matters to a variety of bicommunal issues affecting the lives of Cypriots. UNFICYP worked closely with both communities on solving practical day-to-day issues, particularly in the buffer zone. I take this opportunity to commend both sides again for reaching an agreement on opening the Limnitis/Yeşilirmak crossing and to call for urgent implementation of stage two of the restoration of buildings at the Ledra Street crossing.

33. The mine clearing operation in the buffer zone is progressing steadily. However, the tragic accident on 28 October served as a reminder of the danger posed by the remaining minefields in Cyprus, both inside and outside the buffer zone. I urge both opposing forces to continue to cooperate closely with the United Nations to achieve a mine-free buffer zone as soon as possible.

34. I am pleased to report that the humanitarian work of the Committee on Missing Persons enjoyed broad political and public support during the reporting period, allowing the Committee to achieve further progress. I urge all parties concerned to make every effort to prevent the work of the Committee from being politicized and to take every possible action in order to further accelerate the exhumation process.

35. As I have mentioned before, the establishment of economic, social, cultural, sporting or similar ties and contacts will have a positive impact on the peace process. Such contacts would nurture a sentiment of trust between the communities and help ease the sense of isolation felt by the Turkish Cypriots. Further, greater economic and social parity between the sides will make the eventual reunification not only easier, but also more likely. In the context of an internationally sanctioned peace process, efforts in the opposite direction can only be counterproductive.

36. In response to the Council's request in resolution 1873 (2009) regarding contingency planning in relation to a settlement, although considerable progress has been achieved in the Cyprus talks, the two sides have not yet considered in depth the role which the United Nations would be expected to play in support of a settlement. It is, therefore, too early to be able to identify with confidence the parameters of the United Nations involvement in the context of a possible solution. Nonetheless, UNFICYP has initiated preparatory activities, based on a range of possible outcomes and scenarios, in the framework of contingency planning as requested by the Council. For the time being, such planning will continue to proceed in a flexible manner and be guided by the evolution in the talks and the views of the parties on the role they would like the United Nations to play in the implementation of an agreement.

37. It is my firm belief that UNFICYP continues to play a vital and unique role on the island, including in support of my good offices mission. I recommend, therefore, that the Security Council extend the mandate of the Force for six months, until 15 June 2010.

38. At the same time, in the light of the Security Council's calls and my earlier stated intention to keep all peacekeeping operations under review, I shall continually keep the operations of UNFICYP under close review, taking into account developments on the ground and the views of the parties, and shall revert to the Council with recommendations, as appropriate, for further adjustments to the UNFICYP mandate, force levels and concept of operations as soon as warranted.

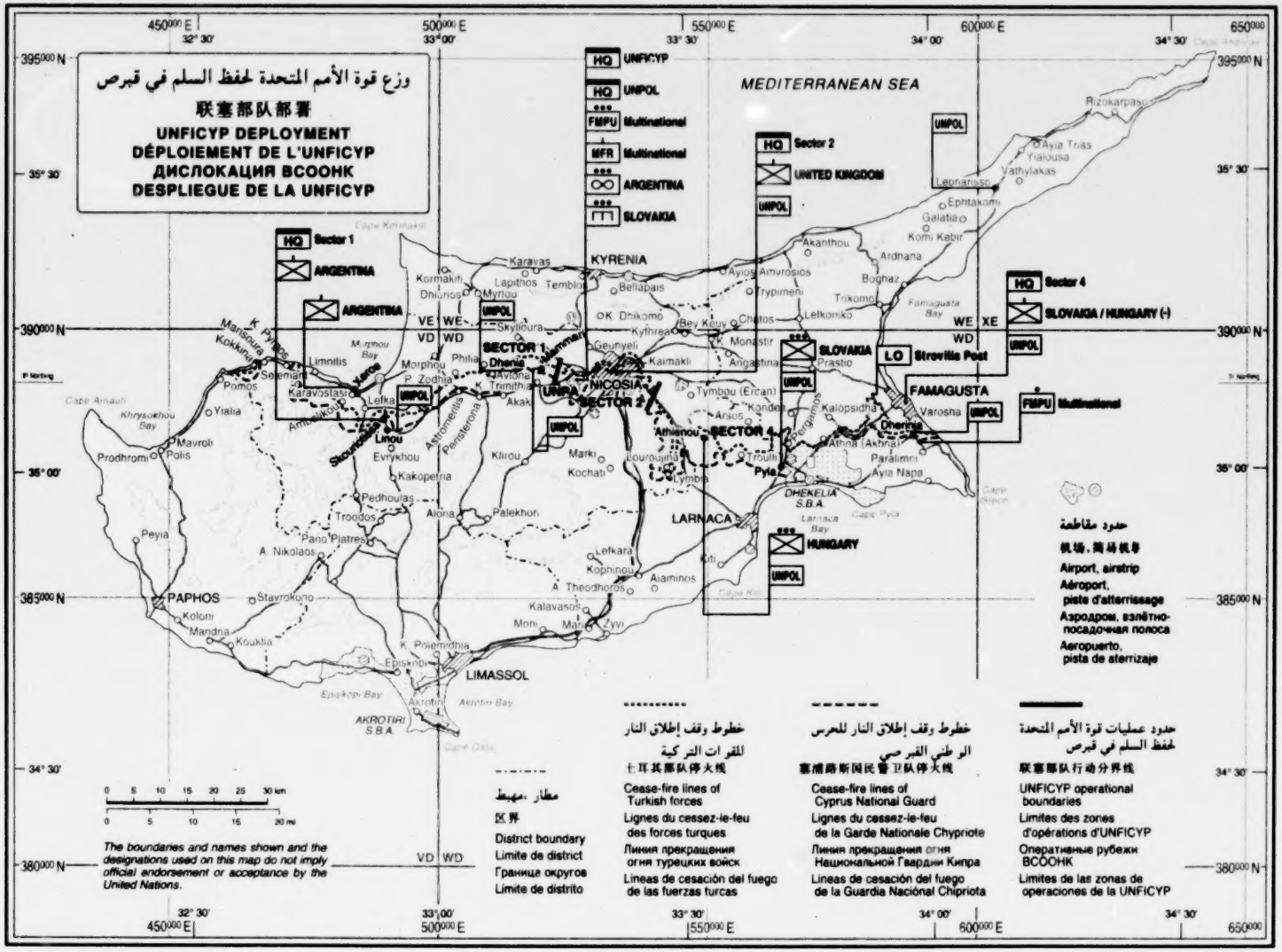
39. In conclusion, I wish to express my thanks to my Special Representative and Chief of Mission, Tayé-Brook Zerihoun, the Force Commander, Rear Admiral Mario César Sánchez Debernardi, and to the men and women serving in UNFICYP for the efficiency and commitment with which they have discharged the responsibilities entrusted to them by the Security Council.

Annex

Countries providing military and civilian police personnel (as at 31 October 2009)

Country	*Military personnel*
Argentina[a]	295
Austria	4
Canada	1
Hungary	84
Peru[b]	2
Slovakia[c]	200
United Kingdom of Great Britain and Northern Ireland	272
Total	**858**
	United Nations police
Australia	15
Bosnia and Herzegovina	3
Croatia	4
El Salvador	8
India	7
Italy	4
Ireland	18
Montenegro	1
Netherlands	7
Ukraine	2
Total	**69**

[a] The Argentinean contingent includes soldiers from Chile (15), Paraguay (14) and Brazil (1).
[b] Peru is using one vacant Canadian and one British post at UNFICYP headquarters.
[c] The Slovakian contingent includes soldiers from Croatia (4).



Map No. 2930 Rev. 68 UNITED NATIONS
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